

THURSDAY, JULY 23, 1981

SIXTIETH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Eugene Davidson of Robertson County.

Representative Davidson led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

The Speaker announced that Representative Clark (Davidson) was excused because of business.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 1086; and House Joint Resolutions Nos. 272 and 274; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 1086; and House Joint Resolutions Nos. 272 and 274.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.
271—Relative to National POW/MIA Day;
273—Relative to commending Sister Mary Frances Loftin;
275—Relative to memory, Jacob Frank Rudy;
276—Relative to commending Dr. Robert H. Crumby;
277—Relative to honoring John N. Tyler; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.
1428—To regulate Hardeman County Highway Department;
1429—To regulate Bradford Special School District;
1430—To regulate Gibson County Special School District;
1431—To regulate Milan Special School District;
1438—To require election, Dickson County Board of Education;
1439—To amend Section 49-4205, Code;
1444—To amend Chapter 510, Public Acts 1981;
1445—To amend Section 36-801, Code; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.
1432—To regulate Trenton Special School District;
1433—To regulate Purchasing and Finance Commission, Rhea County;
1434—To amend The Massage Registration Act of 1979;
1435—To amend Charter, Oneida;
1436—To provide litigation tax Lawrence County;
1437—To regulate advisory referenda, Farragut;
1443—To amend Certified Public Weigher Law of 1981; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

350—To regulate compensation, jury commissioners, Hamilton County;

1366—To regulate qualification, chief administrative office, certain counties;

1442—To regulate state senatorial districts; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1287—To make certain provisions, County Service Office, Scott County; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1286—To amend Chapter 323, Private Acts, 1961;

1301—To repeal Chapter 68, Private Acts, 1969;

1303—To repeal Chapter 37, Private Acts, 1961;

1304—To repeal Chapter 594, Private Acts, 1951; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONSENT CALENDAR

OBJECTION

An objection was filed to the following bill on the Consent Calendar:

Mr. Work objected to House Bill No. 1423.

Under the rules, House Bill No. 1423 was placed at the foot of the Calendar for today.

House Bill No. 1402—To provide for highway department, Hardeman County.

On motion, House Bill No. 1402 was made to conform with Senate Bill No. 1428.

On motion, Senate Bill No. 1428, on same subject, was substituted for House Bill No. 1402.

House Bill No. 1406—To regulate Bradford Special School District.

On motion, House Bill No. 1406 was made to conform with Senate Bill No. 1429.

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On motion, Senate Bill No. 1429, on same subject, was substituted for House Bill No. 1406.

House Bill No. 1407—To regulate Gibson County Special School District.

On motion, House Bill No. 1407 was made to conform with Senate Bill No. 1430.

On motion, Senate Bill No. 1430, on same subject, was substituted for House Bill No. 1407.

House Bill No. 1408—To regulate Milan Special School District.

On motion, House Bill No. 1408 was made to conform with Senate Bill No. 1431.

On motion, Senate Bill No. 1431, on same subject, was substituted for House Bill No. 1408.

House Bill No. 1410—To amend Charter, Oneida.

On motion, House Bill No. 1410 was made to conform with Senate Bill No. 1435.

On motion, Senate Bill No. 1435, on same subject, was substituted for House Bill No. 1410.

House Bill No. 1414—To provide for Purchasing and Finance Commission, Rhea County.

On motion, House Bill No. 1414 was made to conform with Senate Bill No. 1433.

On motion, Senate Bill No. 1433, on same subject, was substituted for House Bill No. 1414.

House Bill No. 1416—To regulate Trenton Special School District.

On motion, House Bill No. 1416 was made to conform with Senate Bill No. 1432.

On motion, Senate Bill No. 1432, on same subject, was substituted for House Bill No. 1416.

House Bill No. 1419—To amend "The Massage Registration Act of 1979".

On motion, House Bill No. 1419 was made to conform with Senate Bill No. 1434.

On motion, Senate Bill No. 1434, on same subject, was substituted for House Bill No. 1419.

House Bill No. 1421—To provide for certain litigation tax, Lawrence County.

On motion, House Bill No. 1421 was made to conform with Senate Bill No. 1436.

On motion, Senate Bill No. 1436, on same subject, was substituted for House Bill No. 1421.

House Bill No. 1424—To provide for advisory referenda, Farragut.

On motion, House Bill No. 1424 was made to conform with Senate Bill No. 1437.

On motion, Senate Bill No. 1437, on same subject, was substituted for House Bill No. 1424.

Mr. Gill moved that all Senate Bills on the Consent Calendar be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

A motion to reconsider was tabled.

CALENDAR

House Bill No. 1399—To reapportion state representative districts.

Mr. McKinney moved that House Bill No. 1399 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1399 by deleting from Section 1(d) in the description of the sixteenth representative district the words and figures “Block Group 1 of census tract 209;” and substituting instead the words and figures “that portion of Block Group 1 of census tract 209 in the remainder of the Norris Census Division”.

FURTHER AMEND by deleting from Section 1(d) in the description of the thirty-fourth representative district the words and figures “and all of Norris Census Division except enumeration district 326” and substituting instead the words and figures “blocks 101, 102, and 103 of census tract 213.02; and all of Norris Census Division not included in state representative district 16.”

FURTHER AMEND by deleting from Section 1(d) in the description of the fortieth state representative district in the description of Wilson County, the word “voting” where it appears and by substituting instead the word “census”.

FURTHER AMEND by deleting from Section 1(d) the description of the forty-fourth state representative district in its entirety and substituting instead the following:

Forty-fourth: All of Macon County. In Sumner County, all of Portland Census Division; all of Westmoreland Census Division; all of Bethpage Census Division; all of Castalian Springs Census Division except enumeration district 482; census tract 208; enumeration districts 467, 468, and 469; blocks 117, 118, 121, 122, 123 and all of Block Group 2 of census tract 207; blocks 301 and 302 of census tract 209.02; and all of census tract 205 except enumeration district 476, block 121 and block 122.

FURTHER AMEND by deleting from Section 1(d) in the description of the fifty-second state representative district the words

“then north on Chapel Avenue to its intersection with Douglas Avenue; then east on Douglas Avenue to its intersection with Scott Avenue; then north on Scott Avenue to its intersection with Creighton Avenue; then east and south on Creighton Avenue to its intersection with Riverside Drive; then north on Riverside Drive to its intersection with Evelyn Avenue; then northeast on Evelyn Avenue to its intersection with Geneva Drive; then north on Geneva Drive to its intersection with McGavock Pike; then west on McGavock Pike to its intersection with Gallatin Road;”

and substituting instead the words:

“then north on Chapel Avenue to its intersection with Straightway Avenue; then east on Straightway Avenue to its intersection with Porter Road; then northeast on Porter Road to its intersection with Cahal Avenue; then east on Cahal Avenue to its intersection with Riverside Drive; then north on Riverside Drive to its intersection with Evelyn Avenue; then northeast on Evelyn Avenue to its intersection with Geneva Drive; then north on Geneva Drive to its intersection with McGavock Pike; then southwest on McGavock Pike to its intersection with Riverside Drive; then north and east on Riverside Drive to its intersection with Kirkland Avenue; then west on Kirkland Avenue to its intersection with Gallatin Road;”

FURTHER AMEND by deleting from Section 1(d) in the description of the fifty-first state representative district the words and figures:

“In Sumner County, blocks 202, 203, 204, 205, 216, 214, 213, 218, 217, 219, 220, 226, 225, 224, 906, 905, and 904 of census tract 211.01; blocks 903, 907, 902, 901, 220, 219, 230, 218, 217, and 299 of census tract 221.02; and census precinct 11.

and substituting instead the words and figures:

“In Sumner County, blocks 203, 204, 205, 216, 214, 213, 218, 217, 219, 220, 226, 225, 215, 224, 906, 905, and 904 of census tract 211.01; that portion of block 202 of census tract 211.01 which is located within the municipal boundaries of the city of Hendersonville; blocks 903, 907, 902, 901, 220, 219, 230, 231, 218, 217, and 299 of census tract 211.02; and census precinct 11.

FURTHER AMEND by deleting from Section I(d) in the description of the fifty-seventh state representative district the words;

“then south and west on Darlington Drive to its intersection with Trousdale Drive;”

and substituting instead the words;

“then south on Darlington Drive to its intersection with Barrywood Drive; then west on Barrywood Drive to its intersection with Trousdale Drive;

FURTHER AMEND by deleting from Section I(d) the description of the Eighty-third state representative district in its entirety and substituting instead the following:

Eighty-third: The following voting wards and voting precincts in Shelby County and the city of Memphis: 56-2, 65-2, 67-1, 67-2, 67-3, 68-3, 73-3, 74-1, 74-2, 74-5, 74-6, 74-7, 74-9, 81-1, 81-2, 81-4, Hickory Hill 1, Hickory Hill 2; that portion of voting precinct 65-1 not included in state representative district 93; that portion of voting precinct 58-5 included within the following boundaries: beginning at a point where Park Avenue intersects the northeast corner of the Memphis State University Off-Campus Properties (old Veteran's Administration Hospital property); then south along the eastern boundary of the Memphis State University Off-Campus Properties extended to a point where it would intersect Rhodes Avenue; then east on Rhodes Avenue to its intersection

with Broadmoor Street; then south on Broadmoor Street to its intersection with Cherrydale Road; then east on Cherrydale Road to its intersection with Merrycrest Drive; then south on Merrycrest Drive to its intersection with Fizer Avenue; then east on Fizer Avenue to its intersection with Cherry Road; then north on Cherry Road to its intersection with Park Avenue; then west on Park Avenue to its intersection with the northeast corner of the Memphis State University Off-Campus Properties, being the point of origin; and that portion of voting precinct 80-1 included within the following boundaries: beginning at the intersection of Poplar Avenue and East Shady Grove Road; then north on East Shady Grove Road to its intersection with Shady Grove Road; then west and northwest on Shady Grove Road to its intersection with Brierview Street; then north on Brierview Street to its intersection with Walnut Grove Road; then west on Walnut Grove Road to its intersection with Interstate Highway 240; then south on Interstate Highway 240 to its intersection with Poplar Avenue; then east on Poplar Avenue to its intersection with East Shady Grove Road, being the point of origin."

FURTHER AMEND by deleting from Section 1(d) in the description of the Eighty-fourth state representative district the words and figures:

"and that portion of voting precincts Ross Store 1 and Ross Store 2 not included in state representative district 83."

and substituting instead the following words and figures:

"and that portion of voting precincts Ross Store 1 and Ross Store 2 lying south of Holmes Road."

FURTHER AMEND by deleting from Section 1(d) in the description of the Ninety-third state representative district the following words and figures:

"that portion of voting precinct 58-5 not included in state representative district 96;"

and by substituting instead the following words and figures:

"that portion of voting precinct 58-5 not included in state representative district 83;"

FURTHER AMEND by deleting from Section 1(d) the description of the Ninety-fourth state representative district in its entirety and substituting instead the following:

Ninety-fourth: The following voting wards and voting precincts in Shelby County and the city of Memphis: 80-2, 81-3, 81-5, 81-6, Collierville 2, Forrest Hill, Germantown 1, Germantown 2, Germantown 4, Germantown 5, Germantown 6, Germantown 7, Germantown 8, Germantown 9; and that portion of voting precincts Ross Store 1 and Ross Store 2 lying north of Holmes Road.

FURTHER AMEND by deleting from Section 1(d) the description of the Ninety-sixth state representative district and substituting instead the following:

Ninety-sixth: The following voting wards and voting precincts in Shelby County and the city of Memphis: 55-2, 56-1, 57, 64-2, 68-1, 68-2, 87-1, 87-2, 87-3, 88-2, 88-3, 89-1, Cordova 2, Cordova 3; that portion of voting ward 86 not included in state representative district 98; that portion of voting ward 85 south and east of the Austin Peay Highway; that portion of voting precinct 55-1 not included in state representative district 89; that portion of voting precinct 80-1 not included in state representative district 83; that portion of voting precinct Cordova 1 not included in state representative district 99; that portion of voting precinct 64-1 not included in state representative district 97; and that portion of voting precinct 89-2 included within the boundaries of blocks 926, 925, 924, 923, 922, 116, 122, 107, 114, 115, 117, 118 and 119 of census tract 211.20.

FURTHER AMEND by deleting from Section 1(d) in the description of the Ninety-eighth state representative district the following words and figures:

“that portion of voting ward 85 not included in state representative district 94;”

and by substituting instead the following words and figures:

“that portion of voting ward 85 not included in state representative district 96;”.

FURTHER AMEND by deleting from Section 1(d) in the description of the Ninety-ninth state representative district the following words and figures:

“that portion of voting precinct 89-2 not included in state representative district 94;”

and by substituting instead the following words and figures:

“that portion of voting precinct 89-2 not included in state representative district 96;”.

On motion, the amendment was adopted.

Mr. Burnett moved the previous question, which motion prevailed by the following vote:

Ayes	81
Noes	13
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, McAfee, McKinney, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shockley, Sir, Spence, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter—81.

Representatives voting no were: Bell (Knox), Byrd, Clark (Sumner), Duncan, Hudson, McNally, Scruggs, Shirley, Small, Smith, Stafford, Turner and Wolfe—13.

Representative present and not voting was: Kernell—1.

Thereupon, House Bill No. 1399, as amended, passed its third and final consideration by the following vote:

Ayes	86
Noes	10
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Sever-

ance, Shockley, Sir, Small, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter—86.

Representatives voting no were: Bell (Knox), Clark (Sumner), Duncan, Hudson, Huskey, McNally, Shirley, Smith, Stafford and Wolfe—10.

Representative present and not voting was: Buck—1.

A motion to reconsider was tabled.

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 281 out of order, which motion prevailed.

House Joint Resolution No. 281—Relative to adjournment, First Regular Session, Ninety-Second General Assembly—By Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett, the resolution was adopted.

A motion to reconsider was tabled.

House Bill No. 1401—To amend “Certified Public Weigher Law of 1981”.

On motion, House Bill No. 1401 was made to conform with Senate Bill No. 1443.

On motion, Senate Bill No. 1443, on same subject, was substituted for House Bill No. 1401.

Mr. Lashlee moved that Senate Bill No. 1443 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

Representatives present and not voting were: Murphy (Shelby) and Pickering—2.

A motion to reconsider was tabled.

House Bill No. 1403—To make certain provisions, divorce cases.

On motion, House Bill No. 1403 was made to conform with Senate Bill No. 1445.

On motion, Senate Bill No. 1445, on same subject, was substituted for House Bill No. 1403.

Mr. Cobb moved that Senate Bill No. 1445 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Cope-land, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKin-ney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (David-son), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

House Bill No. 1405—To amend Chapter 510, Public Acts, 1981.

On motion, House Bill No. 1405 was made to conform with Senate Bill No.1444.

On motion, Senate Bill No. 1444, on same subject, was substituted for House Bill No. 1405.

Mr. Davis (Gibson) moved that Senate Bill No. 1444 be passed on third and final consideration.

Mr. Phillips moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1444 Section 2 of Public Chapter 510 is further amended by adding the following sentence:

The provisions of this section shall only apply to any municipality having a population of not less than nine thousand four hundred (9,400) nor more than nine thousand five hundred (9,500) in any county having a population of not less than fifty-eight thousand and seventy-five (58,075) nor more than fifty-eight thousand one hundred and seventy-five (58,175) according to the 1980 federal census of population or any subsequent federal census.

Mr. Bivens moved that the Amendment No. 1 be tabled, which motion failed.

Thereupon, on motion, the Amendment No. 1 was adopted.

Thereupon, Senate Bill No. 1444, as amended, passed its third and final consideration by the following vote:

Ayes	82
Noes	8
Present and not voting	3

Representatives voting aye were: Akard, Bell (Wilson), Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer,

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Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), Lashlee, Love, McAfee, McKinney, McNally, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—82.

Representatives voting no were: Baker, Bivens, Ford, Kelley, King (Washington), Martin, Montgomery and Spence—8.

Representatives present and not voting were: Bell (Knox), Robinson (Hamilton) and Starnes—3.

A motion to reconsider was tabled.

House Bill No. 1411—To amend Section 55-9-414, Code.

Mr. Murphy (Davidson) moved that House Bill No. 1411 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

House Bill No. 1412—To regulate appointments, Higher Education Commission.

On motion, House Bill No. 1412 was made to conform with Senate Bill No. 1439.

On motion, Senate Bill No. 1439, on same subject, was substituted for House Bill No. 1412.

Mr. Burnett moved that Senate Bill No. 1439 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney,

McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

Mr. Robertson moved that House Bill No. 1413 be referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1422—To reapportion state senatorial districts.

On motion, House Bill No. 1422 was made to conform with Senate Bill No.1442.

On motion, Senate Bill No. 1442, on same subject, was substituted for House Bill No. 1422.

Mr. Burnett moved that Senate Bill No. 1442 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes	18

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Starnes, Sterling, Turner, Ussery, Wheeler, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter—78.

Representatives voting no were: Crain, Dills, Duncan, Frensley, Hudson, Lashlee, Miller, Naifeh, Owen, Phillips, Shirley, Small, Spence, Stallings, Tanner, Wallace, Webb and Wolfe—18.

A motion to reconsider was tabled.

House Bill No. 1423—To require Dickson County Board of Education members be elected.

On motion, House Bill No. 1423 was made to conform with Senate Bill No.1438.

On motion, Senate Bill No. 1438, on same subject, was substituted for House Bill No. 1423.

Mr. Work moved that Senate Bill No. 1438 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb,

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Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

STATEMENT BY MR. SIR ON HOUSE BILL NO. 1399

I voted for the House re-apportionment bill because of my obligation to stand by the Democratic caucus and the unit rule despite my opposition to the bill for dividing my home county. It is my intention to reach an agreement with the members around me in January to make more of Lincoln county whole.

Representative Martin Sir

Mr. Harrill moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 279 out of order, which motion prevailed.

House Joint Resolution No. 279—Relative to welcoming the Timken Company—By Harrill.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Harrill, the resolution was adopted.

A motion to reconsider was tabled.

Ms. Gaia moved that the rules be suspended for the purpose of introducing House Resolution No. 91 out of order, which motion prevailed.

House Resolution No. 91—Relative to memory, Olga G. Touliatos—By Gaia and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. Gaia, the resolution was adopted.

A motion to reconsider was tabled.

Ms. Gaia moved that the rules be suspended for the purpose of introducing House Resolution No. 92 out of order, which motion prevailed.

House Resolution No. 92—Relative to honoring Mary Sturdivant—By Gaia.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. Gaia, the resolution was adopted.

A motion to reconsider was tabled.

Ms. Gaia moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 282 out of order, which motion prevailed.

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House Joint Resolution No. 282—Relative to honoring Sorrell Abramson—By Gaia.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. Gaia, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Starnes moved that the rules be suspended for the purpose of considering House Bill No. 143 out of order, which motion prevailed.

House Bill No. 143—To compensate jury commissioners, Hamilton County.

On motion, House Bill No. 143 was made to conform with Senate Bill No. 350.

On motion, Senate Bill No. 350, on same subject, was substituted for House Bill No. 143.

Mr. Starnes moved that Senate Bill No. 350 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

Mr. Scruggs moved that the rules be suspended for the purpose of considering Senate Joint Resolutions Nos. 168, 169, 170, 171 out of order, which motion failed by the following vote:

Ayes	34
Noes	37
Present and not voting	5

Representatives voting aye were: Baker, Bell (Knox), Bewley, Brewer, Carter, Davis (Hamilton), Duer, Duncan, Ford, Frensey, Gaia, Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Moore, Percy, Phillips, Robertson, Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Wolfe and Wood—34.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Byrd, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gill, Hillis, Jared, Kernell, Lashlee, Love, McKinney, Murray, Naifeh, Pruitt, Robinson (Hamilton), Shirley, Spence, Stallings, Tanner, Turner, Wheeler, Wix, Work and Yelton—37.

Representatives present and not voting were: Owen, Rhinehart, Sir, Starnes and Wallace—5.

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Senate Joint Resolution No. 172—Relative to congratulating Chancellor Vernon Neal, 4th Chancellery Division.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hillis, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 173—Relative to commending Helen Allen.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Bewley, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 174—Relative to congratulating Hugh E. DeLozier, Jr.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Henry (Blount), the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 175—Relative to memory, Don Kelley, Lenoir City.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Henry (Blount), the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 176—Relative to commending Hal Hardin.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wix, the resolution was concurred in.

A motion to reconsider was tabled.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1399 and 1411; and House Joint Resolutions Nos. 279, 281 and 282; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 163, 164, 165, 166, 167 and 177; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 163, 164, 165, 166, 167 and 177.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

1440—To regulate certain limitations, freight motor vehicles;

1446—To amend Chapter 448, Public Acts 1981; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1288—To create Nashville and Eastern Railroad Authority;

1399—To reapportion state representative districts; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

279—Relative to welcoming, The Timken Company;

282—Relative to honoring Sorrell Abramson; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 168—Relative to honoring David J. Harkness.

Under the Rules, Senate Joint Resolution No. 168 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 169—Relative to memory, Hugh Miller Davis.

Under the Rules, Senate Joint Resolution No. 169 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 170—Relative to commending Wanda L. Moody.

Under the Rules, Senate Joint Resolution No. 170 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 171—Relative to honoring Miss Mary Carmack.

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Under the Rules, Senate Joint Resolution No. 171 was referred to the Committee on Calendar and Rules.

PARLIAMENTARY INQUIRY

Mr. Copeland raised a parliamentary inquiry, under Rule No. 77, whether or not it is proper for the sponsor of an amendment, which has become a part of the bill, to move to override a veto of the amendment.

RULING OF THE SPEAKER

The Speaker stated that on the Appropriations Bill (S.B. 997), Representative Brewer introduced the amendment as it relates to the override motion before the House.

He ruled that since Mr. Brewer sponsored the amendment, and since he filed the motion to override, he is in order, it is proper, and to rule otherwise would disenfranchise any member of the House at any time from presenting an amendment to an appropriations bill which affects their districts or affects their constituency across this state.

FURTHER CONSIDERATION OF SENATE BILL NO. 997

Senate Bill No. 997—General Appropriations Bill.

Mr. Brewer moved that the House pass Section 12, Item 38 of Senate Bill No. 997, notwithstanding the objections of the Governor, which motion prevailed by the following vote:

Ayes	52
Noes	39
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Gaia, Gill, Hillis, Hurley, Jared, Jones, Kernell, King (Shelby), Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Sir, Spence, Stallings, Starnes, Sterling, Turner, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter—52.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Dills, Duer, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Johnson, Kelley, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Murray, Naifeh, Percy, Robertson, Scruggs, Severance, Shockley, Small, Smith, Stafford, Tanner, Ussery, Wallace, Webb, Wolfe and Wood—39.

Representative present and not voting was: Shirley—1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 997

Senate Bill No. 997—General Appropriation Bill.

Mr. Brewer moved that the House pass Section 12, Item 14 of Senate Bill No. 997, notwithstanding the objections of the Governor, which motion failed by the following vote:

Ayes	48
Noes	41
Present and not voting	2

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Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Ford, Gaia, Gill, Hillis, Jared, Jones, Kernell, King (Shelby), Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Phillips, Pickering, Pruitt, Richardson, Robinson (Davidson), Robinson (Hamilton), Sir, Spence, Stallings, Starnes, Wheeler, Withers, Work, Yelton and Mr. Speaker McWherter—48.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Copeland, Davis (Gibson), Dills, Duer, Frenslley, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Johnson, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Naifeh, Percy, Robertson, Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Tanner, Ussery, Wallace, Webb, Wix, Wolfe and Wood—41.

Representatives present and not voting were: Rhinehart and Shirley—2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

672—To amend Section 33-604, Code.

The Senate tabled the Majority Conference Committee Report.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SECOND MAJORITY CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 672

The conference committee in accordance with the appropriate motions in both houses to resolve the differences on the versions of House Bill 672/Senate Bill 906, the conference committee has met and the majority makes the following recommendations:

That the Senate amendments be deleted and that House Amendment No. 1 be adopted.

That the following language be added at the end of Section 1:

Provided, however, that any such individual who is recommitted or reconfined may, within seventy-two (72) hours, request a hearing before the court on such recommitment or reconfinement.

Rep. Elbert Gill

Rep. Chris Turner

Rep. I. H. Murphy

Sen. John Ford

Sen. Curtis Person

Mr. Murphy (Shelby) moved that the Report of the Conference Committee on House Bill No. 672 be adopted and made the action of the House, which motion prevailed by the following vote:

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Ayes	69
Noes	12
Present and not voting	7

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bivens, Brewer, Buck, Byrd, Carter, Chiles, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Disspayne, Duer, Duncan, Ellis, Ford, Gill, Harrill, Henry (Roane), Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, Miller, Montgomery, Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—69.

Representatives voting no were: Baker, Bewley, Clark (Sumner), Davidson, Hudson, Huskey, McNally, Murphy (Davidson), Percy, Robertson, Spence and Webb—12.

Representatives present and not voting were: Bragg, Burnett, Dills, Frensley, Lashlee, Moore and Pickering—7.

A motion to reconsider was tabled.

COMMITTEE APPOINTMENT

The Speaker announced that he had appointed Representatives Sir as a member of the following standing committees: Conservation and Environment, and Judiciary.

CALENDAR

House Bill No. 1398—To increase weight limitations, certain motor vehicles.

On motion, House Bill No. 1398 was made to conform with Senate Bill No. 1440.

On motion, Senate Bill No. 1440, on same subject, was substituted for House Bill No. 1398.

Mr. Wheeler moved that Senate Bill No. 1440 be passed on third and final consideration.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes	67
Noes	21
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Roane), Hurley, Huskey, Jared, Johnson, Jones, Kelley, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Shelby), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter—67.

Representatives voting no were: Bell (Wilson), Clark (Sumner), Cobb, Covington, Davidson, DeBerry, Gaia, Hillis, Hudson, Kent, Kernell, Martin, Moore, Murphy (Davidson), Owen, Richardson, Shirley, Smith, Spence, Sterling and Wolfe—21.

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Representative present and not voting was: Dills—1.

A motion to reconsider was tabled.

Thereupon, Senate Bill No. 1440, passed its third and final consideration by the following vote:

Ayes	75
Noes	15
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Carter, Clark (Sumner), Copeland, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—75.

Representatives voting no were: Byrd, Cobb, Covington, Davidson, Gaia, Gill, Hillis, Kernell, Martin, Moore, Shirley, Small, Spence, Sterling and Turner—15.

Representatives present and not voting were: Murphy (Davidson) and Murphy (Shelby)—2.

A motion to reconsider was tabled.

House Bill No. 1415—To provide for permits, certain vehicles.

On motion, House Bill No. 1415 was made to conform with Senate Bill No. 1446.

On motion, Senate Bill No. 1446, on same subject, was substituted for House Bill No. 1415.

Mr. Pickering moved that Senate Bill No. 1446 be passed on third and final consideration.

Mr. Davis (Pickett) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1446 by adding the following as a new section to be appropriately numbered immediately preceding the effective date section, renumbering the effective date section accordingly:

SECTION 2. Section 10 is further amended by deleting the following language from the section:

“These permits shall be available to intra-state movements only.”

On motion, the amendment was adopted.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1446 by adding at the end of the amendatory language of Section 1 the following language:

Provided, further, that a permit shall be available from the Department of Transportation on an annual basis for \$500.00 per year for the movement of over dimensional mobile homes and manufactured houses. These permits shall apply to intra-state and inter-state movements;
and

Provided, further, that any combination of home and power unit exceeding 90' in length or 14' in width, exclusive of hardware, moving on Interstate and/or four-lane limited access highways only, shall be accompanied by one (1) escort vehicle; and any combination exceeding 75' in length or 12' in width, exclusive of hardware, moving on State Roads of less than 24' in width shall be accompanied by one (1) escort vehicle; and any combination with a width of 14' or more, exclusive of hardware, operating on State Roads of less than 24' in width shall be accompanied by two (2) escort vehicles.

On motion, the amendment was adopted.

Mr. Clark (Sumner) moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1446 by adding the following as a new section to be appropriately numbered immediately preceding the effective date section accordingly:

SECTION. Tennessee Code Annotated, Section 55-4-113, subsection (7) as amended by Chapter 448 of the Public Acts of 1981 is amended by deleting the following language from Class 1:

Provided, however, the annual fee for this special license for ready-mix concrete trucks shall be \$310.00.

and by deleting the following language from Class 2:

Provided, however, the annual fee for this special license for ready-mix concrete trucks shall be \$400.00.

On motion, the amendment was adopted.

Messrs. Bragg, Kent, Hudson, Scruggs, Smith, Miller, Crain, Owen, and Mr. Speaker McWherter asked to be recorded as voting "no" on the adoption of Amendment No. 3.

Thereupon, Senate Bill No. 1446, as amended, passed its third and final consideration by the following vote:

Ayes	69
Noes	22
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Harrill, Henry (Roane), Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson,

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Robertson, Robinson (Davidson), Scruggs, Shockley, Sir, Small, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Wix, Wolfe, Wood, Work and Yelton—69.

Representatives voting no were: Bragg, Carter, Copeland, Crain, Frensley, Gill, Hillis, Hudson, Hurley, Kernell, McAfee, McNally, Martin, Moore, Murphy (Shelby), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Smith, Spence and Mr. Speaker McWherter—22.

Representative present and not voting was: Starnes—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

281—Relative to adjournment, 1981 Session; amended and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 281—To provide for adjournment, 1981 Session.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 281 by changing the words and figures January 25 to "January 18" in the last line of the resolving clause.

Mr. Burnett moved that the House concur in Senate Amendment No. 1, which motion prevailed.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

130—Relative to study, salaries, certain employees; amended and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 130—Relative to study, salaries, certain employees.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 130 by deleting the following words and figures from the first resolving clause:

"six (6) members of the Senate and six (6) members of the House of Representatives, to be appointed by the respective speakers thereof"

and by substituting instead the following:

four members of the House Finance, Ways and Means Committee, and four members of the Senate Finance, Ways and Means Committee to be appointed by the Speaker of the House of Representatives and the Speaker of the Senate respectively.

Mr. Burnett moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	80
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—80.

Representative present and not voting was: Spence—1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1446—To amend Chapter 448, Public Acts, 1981.

The Senate nonconcurred in House Amendments Nos. 1, 2 and 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SECOND ROLL CALL

The roll call was taken with the following results:

Present	96
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Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

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INTRODUCTION OF RESOLUTION

House Joint Resolution No. 280—Relative to urging Federal Reserve Board, lower interest rates—By Dills and Crain.

The Speaker referred House Joint Resolution No. 280 to the Committee on Calendar and Rules.

INTRODUCTION OF BILL

House Bill No. 1426—To amend Title 57, Chapter 3, Code—By Hudson and Owen.

Passed first consideration.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

672—To amend Section 33-604, Code.

The Senate adopted the Second Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1286, 1287, 1288, 1301, 1303 and 1304; and House Joint Resolutions Nos. 271, 273, 275, 276 and 277; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1286, 1287, 1288, 1301, 1303 and 1304; and House Joint Resolution Nos. 271, 273, 275, 276 and 277.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1086 signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 1086 for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER

I am directed by the Governor to return herewith: House Bill No. 1316 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1286, 1287, 1288, 1301, 1303 and 1304; and House Joint Resolutions Nos. 271, 272, 273, 274, 275, 276 and 277, all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 672 and 1399; House Resolutions Nos. 91 and 92; and House Joint Resolutions Nos. 130, 279, 281 and 282; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 672 and 1399; House Resolutions Nos. 91 and 92; and House Joint Resolutions Nos. 130, 279, 281 and 282.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 672 and 1399; and House Joint Resolutions Nos. 130, 279, 281 and 282; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1435, for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bill No. 1435.

SELECT COMMITTEE APPOINTMENTS

The Speaker announced that he had appointed the following committee to notify the Senate that the House had completed its business for this session and was ready to adjourn until January 18, 1982: Messrs. Burnett and Henry (Roane).

The Speaker announced that he had appointed the following committee to notify the Governor that the House had completed its business for this session and was ready to adjourn until January 18, 1982: Messrs. Stafford, Chairman; McKinney, Smith, Pickering, Ms. DeBerry and Ms. Bell (Knox).

REPORTS OF SELECT COMMITTEES

Mr. Burnett advised the House that the Senate had been notified that the House had completed its business for this session and was ready to adjourn until January 18, 1982.

Mr. Stafford advised the House that the Governor had been notified that the House had completed its business for this session and was ready to adjourn until January 18, 1982, and that the Governor stated that he had no further communications to transmit to the House.

A Committee from the Senate composed of Messrs. Davis (Shelby), Burks and Crow notified the House that the Senate had completed its business for this session and was ready to adjourn until January 18, 1982.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to notify the House that the Senate has completed its business for the First Regular Session and is ready to adjourn until January 18, 1982.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ARTICLE III, SECTION 18
CONSTITUTION OF TENNESSEE**

All bills and joint resolutions presented to the Governor subsequent to July 13, 1981 for his action, being within ten days of the adjournment of the First Regular Session of the Ninety-second General Assembly, prevents the return of said bills and joint resolutions to the House within the ten-day period, and accordingly, the final action taken by the Governor will be filed by him to the Secretary of State's Office, all in compliance with Article III, Section 18 of the Constitution of the State of Tennessee, relating to the Governor's veto power.

On motion of Mr. Burnett, the Journal of the House of Representatives and the proceedings thereof were approved from the First through the Fifteenth Day of the Organizational Session, and the First through the Sixtieth Day of the First Regular Session.

Thereupon, Mr. Speaker McWherter declared the First Regular Session of the House of Representatives of the Ninety-second General Assembly adjourned until 12:00 o'clock noon, Monday, January 18, 1982, in accordance with House Joint Resolution No. 281.

NED R. McWHERTER, Speaker
House of Representatives

ATTEST:

DAVID H. WELLES
Chief Clerk
House of Representatives

THURSDAY, JULY 23, 1981—60th LEGISLATIVE DAY

**BILLS AND RESOLUTIONS ENROLLED, SIGNED, AND TRANSMITTED TO
GOVERNOR SUBSEQUENT TO ADJOURNMENT**

July 24, 1981

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 672, 1286, 1287, 1288, 1301, 1303, 1304 and 1399; and House Joint Resolutions Nos. 130, 271, 272, 273, 274, 275, 276, 277, 279, 281 and 282; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

JULY 27, 1981

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 350, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1436, 1437, 1438, 1439, 1440, 1442, 1443, 1444 and 1445; and Senate Joint Resolutions Nos. 172, 173, 174, 175 and 176 all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

JULY 27, 1981

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 350, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1436, 1437, 1438, 1439, 1440, 1442, 1443, 1444, 1445; and Senate Joint Resolutions Nos. 172, 173, 174, 175 and 176.

CERTIFICATION

This is to certify that all information contained in the foregoing reports and messages entered in this Journal subsequent to adjournment of the First Regular Session of the House of Representatives of the Ninety-Second General Assembly is true and correct.

DAVID H. WELLES,
Chief Clerk.

THURSDAY, JULY 23, 1981—60th LEGISLATIVE DAY

MESSAGES FROM GOVERNOR TO SECRETARY OF STATE

JULY 30, 1981

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 1086, 1286, 1287, 1288, 1301, 1303 and 1304; and House Joint Resolutions Nos. 130, 271, 272, 273, 274, 275, 276, 277, 281 and 282 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

JULY 30, 1981

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Joint Resolution No. 279, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

AUGUST 5, 1981

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 1399, without his signature.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 1399 / Senate Bill No. 1441 today. It becomes law without my signature. Recently, I vetoed an earlier version of this bill because it contained multiple constitutional errors. I also strongly disapproved of the unnecessarily large number of counties split in the process of redrawing district lines. The House in revising this bill tried hard to eliminate the constitutional errors. I still don't like the number of split counties --and cities -- but that concern alone is not enough to demand a second veto. I would not have drawn these district lines in this same way. This bill obviously reflects the preferences of the majority party in the House, although it has bipartisan support. It is not a perfect bill, but in an imperfect environment, I believe it is the best this Legislature will do. For these reasons, I take this action.

I expect to return Senate Bill No. 1442 without my signature, for the same reasons, on August 10, 1981.

Sincerely,

Lamar Alexander

House Bill No. 1399 became law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

THURSDAY, JULY 23, 1981—60th LEGISLATIVE DAY

AUGUST 5, 1981

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 672, without his signature.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary:

I am returning today House Bill No. 672 / Senate Bill No. 906 without my signature. I approve of the thrust of the bill. Mandatory out-patient treatment and the quick recommitment of patients who may be dangerous to themselves and the community are good ideas. I would have not hesitated to sign this bill if the conference committee had reported it out in the same form it passed the Senate. However, the bill as finally passed raises several concerns which will have to be addressed.

The administration of this new law so that it will be sensible and fair to the patients will depend upon the diligence of the judges who will have these matters brought before them. They will be required to balance the facts which will be unique to each case and will be required to make decisions whether to conduct hearings. The decision to hold a hearing will be very important because the Attorney General has already stated that the process would be invalid if the patient is not given a hearing either before or shortly after recommitment.

I hope the General Assembly will agree to review this bill next year and will make several changes that will make it more effective. The time and manner in which hearings are conducted should be clarified and the standards and procedures in the bill should be modified to clearly define to whom the bill applies and how long it will be applicable to an individual patient.

Sincerely,

Lamar Alexander

House Bill No. 672 became law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.